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Eastern District of Washington
Russell E. Smoot
Assistant United States Attorney FILED IN THE U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON Post Office Box 1494 Spokane, WA 99210-1494 FEB 1 1 2009 4 Telephone: (509) 353-2767 JAMES R. LARSEN, CLERK 5 UNITED STATES DISTRICT COURT DEPLOYED EASTERN DISTRICT OF WASHINGTON WASHINGTON 6 7 GR-09-0015-EFS-7 UNITED STATES OF AMERICA, 8 INDICTMENT Plaintiff, VS. 9 Vio: 21 U.S.C. § 846 Conspiracy to Distribute 1000 Kilograms or More 10 of Marijuana 11 (Counts 1 & 2) 12 21 U.S.C. § 853 Criminal Forfeiture 13 (Count 3) JAMES E. MULVANEY, 14 15 16 17 18 19 20 21 22 23 24 25 26 27 Defendants. 28

INDICTMENT - 1 Initial.Indictment.90211.wpd

1 2 The Grand Jury Charges: 3 COUNT ONE 4 That beginning on a date unknown, but by no later than the year 2001, until 5 on or about February 10, 2009, in the Eastern District of Washington and elsewhere, 6 7 8 , JAMES E. MULVANEY, 9 10 , and others not known to the Grand Jury, did knowingly and intentionally combine, conspire, confederate 11 12 and agree together with each other and with other persons, both known and 13 unknown to the Grand Jury, to commit the following offense against the United States, to wit: conspiracy to distribute 1000 kilograms or more of Marijuana, a 14 Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1), 15 (b)(1)(A)(vii), all in violation of 21 U.S.C. § 846. 16 17 COUNT TWO 18 That beginning on a date unknown, but by no later than the year 2005, until 19 on or about February 10, 2009, in the Eastern District of Washington and 20 elsewhere, 21 22 23 24 25 26 , and others not known to the Grand Jury, did knowingly and 27 intentionally combine, conspire, confederate and agree together with each other 28 and with other persons, both known and unknown to the Grand Jury, to commit

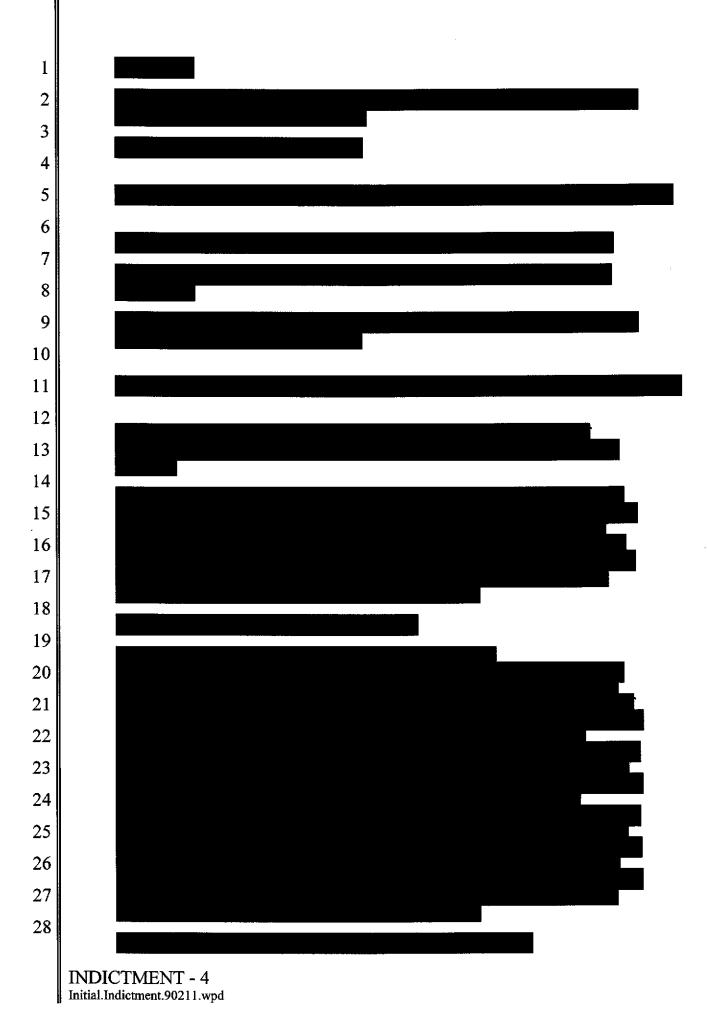
INDICTMENT - 2 Initial.Indictment.90211.wpd the following offense against the United States, to wit: conspiracy to distribute 1000 kilograms or more of Marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vii), all in violation of 21 U.S.C. § 846.

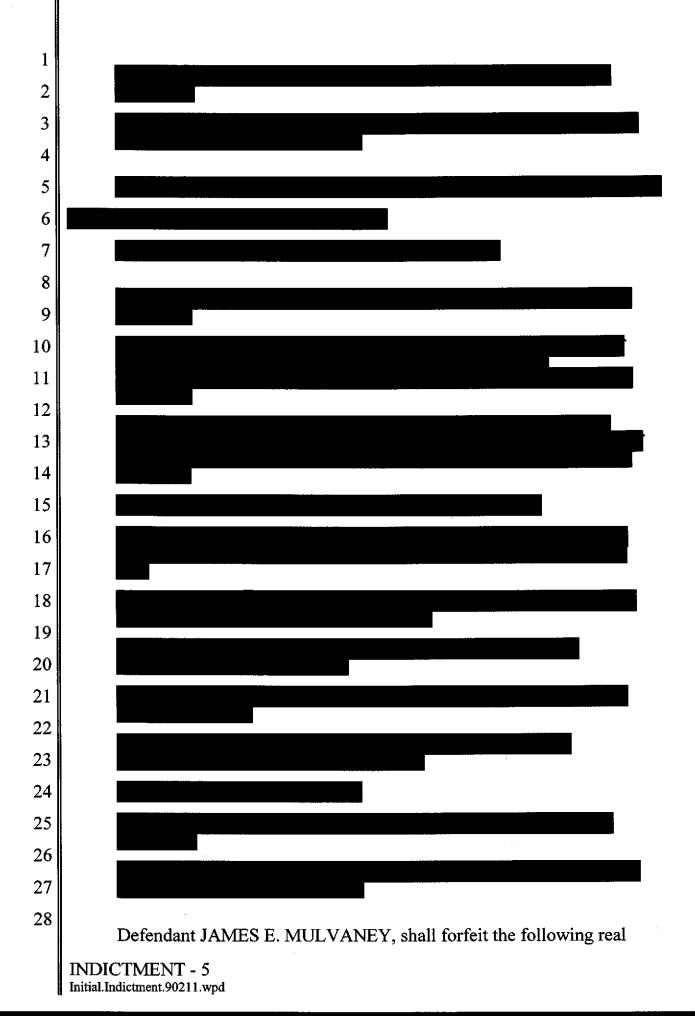
## **COUNT THREE**

Upon conviction of the controlled substance offense alleged in Count One of this Indictment, Defendants shall forfeit the assets as outlined below, to the United States pursuant to 21 U.S.C. § 853, as property constituting or derived from proceeds obtained, directly or indirectly, as a result of the said violation[s]; and/or as property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation[s], including but not limited to the following:



INDICTMENT - 3 Initial.Indictment.90211.wpd





property further described as follows: 4138 South Tricia Court, Spokane, Washington: Lot 6, Block 1, Whispering Pines, as per Plat recorded in Volume 17 of Plats, Page 68; Situate in the City of Spokane, County of Spokane, State of Washington. Together with all appurtenances, fixtures, attachments thereto and thereupon. Subject to covenants, conditions, restrictions, reservations, easements and agreements of record, if any. Parcel No. 35344.1906. **INDICTMENT - 6** 

Initial.Indictment.90211.wpd


If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (a). cannot be located upon the exercise of due diligence;
- (b). has been transferred or sold to, or deposited with, a third party;
- (c). has been placed beyond the jurisdiction of the court;
- (d). has been substantially diminished in value; or
- (e). has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek

1	forfeiture of any other property of said Defendant(s) up to the value of the
2	forfeitable property described above.
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4	DATED this _// day of February, 2009.
5	A TRUE BILL
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8	James Ma David
9	James A. McDevitt United States Attorney
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11	Russell E. Smoot Assistant United States Attorney
12	Assistant Office States Attorney
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